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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91216005
Party	Defendant Ozone Industries Ireland Limited
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Date	06/02/2014
Attachments	Applicant's Answer to Notice of Opp.pdf(1074881 bytes)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the matter of Application Serial No. 79/121,347
Filed on September 11, 2012
For the Mark RainSafe & Design

)	
Aquion, Inc.,)	
)	
Opposer,)	Opposition No. 91/216,005
v.)	
)	
Ozone Industries Ireland Limited,)	
)	
Applicant.)	
)	

APPLICANT'S ANSWER TO NOTICE OF OPPOSITION

Applicant, Ozone Industries Ireland Limited, for its Answer to the Notice of Opposition states as follows:

- 1) Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 1 of the Notice of Opposition, and accordingly, denies the same.
- 2) Applicant admits the allegations contained in Paragraph 2 of the Notice of Opposition.
- 3) Applicant admits that the U.S. Patent and Trademark Office website records lists Opposer as the record owner of the trademarks RAINSOFT under U.S. Registration No. 715,436 for "water softeners and filters" in Class 11, RAINSOFT under U.S. Registration No. 1,632,154 for "water filters, namely, iron filters, sediment filters, reverse osmosis filters; water treatment equipment, namely, acid neutralizing units, water purifiers, faucets which meter the flow of

water” in Class 11, RAINSOFT under U.S. Registration No. 1,950,973 for “water-retaining metal tank used in association with water treatment equipment” in Class 6 and “ electrical ultraviolet light for use with or as water purification units” in Class 11, RAINSOFT under U.S. Registration No. 2,033,664 for “soaps and detergents, namely, skin bar soap, liquid hand soap, hair shampoo, automatic dishwasher detergent, liquid dish soap, and laundry detergent” in Class 3, and the stylized RainSoft under U.S Registration No. 4,208,977 for “Soaps and detergents, namely skin bar soap, liquid hand soap, hair shampoo, automatic dishwasher detergent, liquid dish soap and laundry detergent” in Class 3, “Water-retaining metal tank used in association with water treatment equipment” in Class 6 and “Water treatment equipment, namely, water softeners and water filters; water filters, namely, iron filters, sediment filters, reverse osmosis filters, taste and odor filters; water treatment equipment, namely, acid neutralizing units, water purifiers, and faucets which meter the flow of water; electrical ultraviolet light for use with or as water purification units; water softening conditioning units, primarily for domestic use; water conditioning systems composed primarily of water filtration units and water conditioning units for domestic, commercial, and industrial use” in Class 11, but does not have sufficient knowledge or information as to the remainder of the allegations contained in Paragraph 3 of the Notice of Opposition, and accordingly denies the same.

4) Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 4 of the Notice of Opposition, and accordingly, denies the same.

5) Applicant does not have sufficient knowledge or information to form a belief as to the allegations contained in Paragraph 5 of the Notice of Opposition, and accordingly, denies the same.

6) Applicant denies each and every allegation listed in Paragraph 6 of the Notice of Opposition.

7) Applicant denies each and every allegation listed in Paragraph 7 of the Notice of Opposition.

Wherefore, Applicant prays that the Notice of Opposition be dismissed in its entirety, and that Application Serial No. 79/121,347 be permitted to mature to registration.

Respectfully submitted,
Ozone Industries Ireland Limited

Dated: June 2, 2014

By: 
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COUNSEL FOR APPLICANT

CERTIFICATE OF SERVICE/TRANSMITTAL

I hereby certify that a copy of the foregoing Applicant's Answer to Notice of Opposition is being electronically transmitted to the Trademark Trial and Appeals Board (ESTTA), with a copy of same being deposited with the United States Postal Service as first class mail, postage prepaid, to counsel for Opposer, on this 2nd day of June 2014 as follows:

Marta S. Levine, Esq.
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Keith A. Weltsch